

OCT 13 2005

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Address to:  
**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application No.: 09/470,234  
Filing Date: 12/22/99  
First Named Inventor: David L. Salgado  
Group Art Unit: 2624  
Examiner Name: King Poon  
Attorney Docket No.: D/99173

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA [and 102(e)/103 removal for commonly owned applications]. See *Changes to Application Examination and Provisional Application Practice Interim Rule*, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000); 65 Fed. Reg. 50092 (Aug. 16, 2000), which established RCE practice. [Note that § 1.114 also requires prosecution to be closed to use an RCE.]

## **1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - ☐ Other
- b. ☒ Enclosed
- ☐ Amendment or Reply
  - ☐ Affidavit(s)/Declaration(s)
  - ☐ Information Disclosure Statement (IDS)
  - ☒ Other Preliminary Amendment

## **2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) (required))
- b. ☐ Other

## **3. Fees** [The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.]

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Xerox Corporation Deposit Account No. 24-0025.
- ☒ RCE fee required under 37 C.F.R. § 1.17(e) - \$770.00
  - ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17). Please grant any required extension of time.
  - ☐ Other
- b. ☐ A return receipt postcard is enclosed.

### **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Richard F. Spooner	Registration No. (Attorney/Agent)	43928
Signature	<i>Richard F. Spooner</i>	Date	6/2/2004

### **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited on the date set forth below with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date set forth below:

Name (Print/Type)	Helen Paulino	Date	6/2/2004
Signature	<i>Helen Paulino</i>		

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